

REMARKS

Claim 7 and 8 have been rejected under 35 USC 102(e) as being anticipated by Johnson et al. Johnson provides for interactivity with a data stream such as one for producing teletext or for providing information to allow display of a still screen. The interaction in Johnson is not with a signal capable of full-motion video as claimed and described in Applicant's patent application. In Johnson, interactive communications with a uniquely addressed terminal are controlled by a system manager. Downstream communications are addressed to the terminal. Such communications are sent on a separate data carrier or within the horizontal or vertical intervals of transmitted video signals. (Johnson at col. 4, lines 36-46). These slim data carriers do not support full-motion video.

Interactivity over the cable television system is not a focus of Johnson. To the extent Johnson discloses interactivity, it is for the most part conducted locally within the interactive terminal. Rather than interacting through a data link over the cable television system, Johnson teaches screen generation at the interactive terminal. Johnson summarizes its in-room TV set top terminal as including "an interactive capability tied to locally stored prompting screens displayed directly on the TV." (col. 21, lines 1-2) The focus is on local interactivity rather than interacting over a data link in the cable television system as claimed by Applicant.

The home interface controller of claim 7 requires a "television input for receiving a signal capable of full motion video." In accordance with the invention of claim 7, the subscriber interaction "modifies the content of the signal capable of full motion video that gets received by the television input." Applicant submits that Johnson teaches interaction with data in a signal that is not capable of full motion video such as a horizontal blanking or vertical blanking interval. Further, the invention of claim 7 calls for "data communication with one of a plurality of interactive processes over a data link in the cable television system." Johnson, for the most part, describes interacting with locally stored prompting screens in the interactive terminal itself. To the extent there is some suggestion of interacting over a data link, such interaction is with a process that

provides data to the terminal over a signal not capable of full motion video. Interaction with and modification of a signal capable of full motion video bound for the input of the home interface controller is not taught by the cited reference.

The examiner states that in Johnson, "subscriber interacts with devices 3-5, 10-12 to change video signal displayed on the screen." While the subscriber may change the video signal displayed on the screen, that is done by tuning the terminal to a different channel frequency. This action of changing channels does not modify the signal capable of full motion video that gets received by the television input of the home interface controller. Rather the signals received at the television input remain the same, it is only the selected channel frequency for display from among signals received at the input that changes. Thus, the change is made to the signal displayed on the screen, rather than to the signal received at the television input of the home interface controller.

The system manager 12 of Johnson stores screen templates so that the screens can be generated locally at the interactive terminal or, optionally, in a locally generated video modulator 11. When the screen is being provided by the interactive terminal for display on the television set, subscriber interaction is with the local terminal rather than interacting over a data link in the cable television system with a remote interactive process. This local interaction between the subscriber and the screen template allows for an instruction to be provided to the interactive terminal to tune to selected channel frequency. This local interaction disclosed by Johnson et al. fails to disclose, suggest or teach the interactivity over a data link in the cable television system with an interactive process as taught and claimed by Applicant. Even when communication is established with an optional modulator 11, it does not effect change to a signal capable of full motion video transmitted to the set top terminal. Rather the data from the modulator is sent over a separate data link or a horizontal or vertical interval that is not capable of full motion video. For these reasons, Applicant submits that claim 7 and all claims depending therefrom should be allowed.

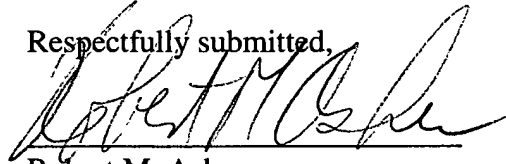
Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Tindell et al. Tindell is merely recited for disclosing data decompression of digital video signals and does not satisfy the deficiencies of Johnson.

Thus, for the reasons recited above with respect to claims 7 and 8, dependent claims 9 and 10 should be allowed.

Applicant reiterates its request to the examiner to provide an indication that the foreign patents and other publications, listed in the Information Disclosure Statement filed November 8, 2002 have all been considered. Additional copies were provided with the amendment of March 3, 2004. These include references labeled BJ-BS and ED-ES. Notice of full consideration of the prior art is respectfully solicited.

For all the foregoing reasons, Applicant submits the claims are patentable over the art of record and early notice to that effect is respectfully solicited.

Respectfully submitted,



Robert M. Asher
Reg. No. 30,445
Bromberg & Sunstein LLP
125 Summer Street, 11th Floor
Boston, MA 02110-1618
(617) 443-9292
Attorney for Applicant